

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BEST BRANDS CONSUMER PRODUCTS, INC.,

Plaintiff,

-against-

FUNKY RICO, INC.,

Defendant.

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14 Civ. 1482 (JPO)(AJP)

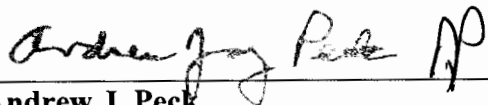
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: **ORDER OF DISMISSAL ON CONSENT**

ANDREW J. PECK, United States Magistrate Judge:

The parties having informed the Court that they have reached a settlement agreement in principle and are finalizing settlement documents (see attached letter), IT IS HEREBY ORDERED THAT this action is dismissed with prejudice and without costs, provided, however that any party may reinstate the action within 15 days hereof if the settlement is not fully effectuated. Any pending motions are to be terminated as moot. The December 8, 2014 settlement conference is cancelled.

SO ORDERED.

DATED: New York, New York
December 5, 2014

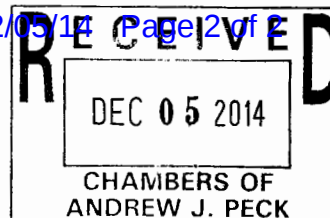


Andrew J. Peck
United States Magistrate Judge

Copies ECF to: All Counsel
Judge Oetken

**GOLDBERG COHEN LLP**

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December 5, 2014

Via Facsimile: 212-805-7933

Hon. Andrew J. Peck
United States District Court
for the Southern District of New York
500 Pearl Street, Room 20D
New York, New York 10007

**Re: *Best Brands Consumer Products Inc. v. Funky Rico, Inc.*
1:14-cv-01482-JPO**

Dear Judge Peck:

We represent the Plaintiff Best Brands Consumer Products, Inc. in the above-captioned matter. We submit this letter jointly together with Defendant Funky Rico, Inc.

As of today's date, the parties have arrived at a mutually agreed written settlement agreement, which they will each be executing shortly, to be followed by the filing of a notice of dismissal of the action next week.

Accordingly, it is respectfully submitted that the mediation currently scheduled for this Monday December 8, 2014 before Your Honor will no longer be needed. We respectfully request confirmation that this is acceptable to the Court so that the parties can cancel travel plans.

We thank the Court for its time and patience, which facilitated the parties' settlement negotiations.

Respectfully submitted,

/s/ Morris E. Cohen

Morris E. Cohen

cc: James Donoian, Esq.
Counsel to Funky Rico, Inc.